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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of: Andy PHELPS  
Serial No.: 09/576,039  
Filed: May 23, 2000  
For: AUDIO APPARATUS  
Art Unit: 2644  
Examiner: Con P. Tran

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 18, 2005

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated July 19, 2004 of the Primary Examiner finally rejecting claims 10-26.

The item(s) checked below are appropriate:

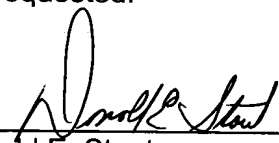
- ☐ 1. A two month extension of time to respond to the Advisory Action of November 17, 2004 and the Final Rejection is being filed concurrently herewith.
- ☐ 2. A timely response to the Final Rejection was filed on September 20, 2004 as provided in 841 O.G. 1411.
- ☐ 3. Fee -- \$500.00 is enclosed. A Credit Card Payment form is also attached hereto. Please charge to Deposit Account No. 01-2135 for any insufficiency in the fee. (One additional copy of this Notice is enclosed.)
- ☐ 4. An oral hearing is hereby respectfully requested.

Signature (Rule 191(b))....

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Donald E. Stout  
Registration No. 26,422  
ANTONELLI, TERRY, STOUT & KRAUS, LLP

Post Office Address:  
(to which correspondence  
is to be sent)

Suite 1800  
1300 North Seventeenth Street  
Arlington, Virginia 22209  
(703) 312-6600

DES:dlh